

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

RNPM, LLC,

Plaintiff,

vs.

ANNETTE FIGUEROA DAVILA,  
ARTEMIO FELICIANO GONZALEZ

Defendant

CIVIL NO. 11-2057 (CCC)

RE: COLLECTION OF MONIES,  
FORECLOSURE OF MORTGAGE

**DEFAULT JUDGMENT**

Upon plaintiff's application for judgment, and it appearing from the records of the above-entitled case that default was entered by the Clerk of this Court against defendants (for failure to plead or file an answer to the complaint, or otherwise appear in the above cause) plaintiff is entitled to a judgment by default. Accordingly,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The following mortgaged property, described in the Spanish language, shall be sold at public auction to its highest bidder, without an appraisal or right of redemption for the payment of plaintiff's mortgage within the limits secured by it:

---URBANA: Solar marcado con el número veintiuno (#21) del bloque A del plano de inscripción de la Urbanización Villa Palmira, radicado en el Barrio Río Abajo del término municipal de Humacao, Puerto Rico, con un área superficial de trescientos diecisiete punto cero cuatro (317.04) metros cuadrados. En lindes por el NORTE, en dos distancias, la primera en recta en dieciséis (16.00) metros y la segunda en un arco en dos punto cincuenta y uno (2.51) metros con la calle número diez (#10) del proyecto; por el SUR, en dieciocho punto cuarenta y seis (18.46) metros con el solar

número veintidós guión A (22-A) y en cuatro punto cero dos (4.02) metros con el solar número veintitrés guión A (#23-A) y en cuatro punto cero dos (4.02) metros con el número veintitrés guión A (#23-A) del proyecto; por el ESTE, veinticinco (25.00) metros, con el solar veinte guión A (20-A); y por el OESTE, en dos distancias, la primera en recta en veintidós punto diecisiete (22.17) metros y la segunda en un arco en dos punto cincuenta y uno (2.51) metros con la calle número tres (#3) del proyecto.-----

---Inscrita al folio treinta y tres (33) vuelto del tomo doscientos cincuenta y uno (251) de Humacao, finca nueve mil trescientos veinticuatro (9324), Registro de la Propiedad de Humacao.-----

2. Upon plaintiff's compliance with Fed.R.Civ.P. 53, the court may appoint a Special Master to conduct the sale, but the Special Master shall not proceed to carry out the said sale, or do anything in connection with it, until further order by this Court and under the form and conditions to be directed by the Court.

3. The sale to be conducted by the appointed Special Master shall be subject to the confirmation of the Court, and the purchaser or purchasers of the property shall be entitled to receive its possession. The minimum bid to be accepted at the first public sale in accordance with the mortgage deed is **\$122,000.00.**

4. Any funds derived from the sale to be conducted in accordance with the terms of this judgment and such further orders of the Court shall be applied as follows:

a) To the payment of all proper expenses attendant upon the sale, including the expenses, outlays and

compensation of the Special Master; after the compensation and expenses shall have been fixed and approved by the Court, all expenses shall be deducted from the sum provided in the deed of mortgage for costs, charges and disbursements, expenses and attorney's fees.

b) To the payment of all expenses or advances made by the plaintiff.

c) To the payment to plaintiff of the amount of \$118,333.94 in principal, \$26,062.05 in accrued interest as of January 3, 2012, which continues to accrue at the rate of 7.95% per annum until payment in full, accrued late charges, and any disbursements made by plaintiff on behalf of defendants in accordance with the mortgage deed, plus costs, and ten (10) percent in attorneys fees.

d) If after making all those payments there is a surplus, it shall be delivered to the Clerk of the Court, subject to further orders of the Court.

6. Plaintiff may apply to the Court for such further orders, as it may deem advisable to its interests, in accordance with the terms of this judgment.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 29<sup>th</sup> day of June, 2012.

  
CARMEN CONSUELO CEREZO  
UNITED STATES DISTRICT JUDGE